## INCOMING TELEGRAM

## Department of State

ACTION COPY

38-H SECRET Action Control: 5748 Rec'd: APRIL 9, 1959 **EUR** FROM: MOSCOW 7:21 AM Info TO: Secretary of State **RMR** 2024, APRIL 9, 1 PM NO: SS G SP PRIORITY C L SENT DEPARTMENT 2024; REPEATED INFORMATION LONDON INR PARIS 352, BONN 271, BERLIN 160. PARIS FOR EMBASSY USRO CINCEUR THURSTON AND WEST BONN PASS USAFE N I AM CONCERNED AT POSITION WE ARE GETTING INTO ON SUBJECT OF HIGH-ALTITUDE FLIGHTS TO BERLIN-MUCH OF OUR POSITION THERE IS BASED UPON PRECEDENT AND PRACTICE, WHICH WE ARE CHALLENGING IN PRESENT CASE. MOREOVER I DO NOT SEE HOW WE CAN SUCCESSFULLY END THIS AFFAIR WITHOUT GREAT STRAIN ON OUR ALLIANCE SINCE BRITISH AND I PRESUME OTHERS QUESTION BELIEVE SOVIETS WILL MAINTAIN THEIR POSITION (C) IN REPLY TO PROPOSED NOTE AND LIKELY CONTINUE TO HARASS O OUR HIGH ALTITUDE FLIGHTS. WHILE RECOGNIZE OUR PURPOSE IN ESTABLISHING RIGHT TO HIGH-ALTITUDE FLIGHTS IN CASE OF INTERRUPTION LAND ACCESS, BELIEVE IN SUCH EVENT ALL RULES WOULD BE OFF ANYWAY. IN EVENT TURNOVER TO EAST GERMANS BELIEVE WE WOULD BE IN BETTER POSITION TO ASSERT pur rights than we are against soviets. Therefore recommend DUR NOTE MERELY DENY CHARGES OF ATTEMPTING COMPLICATE THE CONFERENCE AND STATE THAT OUR POSITION REMAINS AS TATED IN BASC. IF NOTE ALONG PRESENT LINES IS TO BE DELIVERED HOWEVER SUGGEST THAT SENTENCE BEGINNING "IT SHOULD BE NOTED IN THIS CONNECTION" IMPLIES THAT IN FUTURE MOST OF OUR FEIGHTS Would be made above 10,000 feet. BELIEVE WOULD BE USEFUL 0 TO INCLUDE UNLESS "UNCLASSIFIED" REPRODUCTION FROM THIS PERMANENT

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## SECRET

-2- 2024, APRIL 9, 1 PM, FROM MOSCOW.

TO INCLUDE SENTENCE INDICATING THAT FOR PRESENT MOST FLIGHTS WOULD CONTINUE BE MADE BELOW THIS ALTITUDE. WIGHT ALSO BE USEFUL TO MAKE REFERENCE AS EXAMPLE TO FLIGHT CHARACTERISTICS SOVIET TU-104 JET AS HAVING INDUCED SOVIETS TO CHANGE OWN OPERATING ALTITUDES FOR TECHNICAL REASONS.

SENTENCE BEGINNING "WE STATED IN LETTERS OF JUNE 6" SHOULD EITHER BEGIN WITH "AS" OR THE WORD "THAT" SHOULD BE INSERTED BEFORE WORDS "THE UNITED STATES."

THOMPSON

VF/20

SECRET-